

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMAAL CAMERON, et al.,

Plaintiffs,
v.

Case No. 20-cv-10949
Honorable Linda V. Parker

MICHAEL BOUCHARD, et al.,

Defendants.

**ORDER DENYING REQUEST FOR APPOINTMENT OF COUNSEL BY
KEITH JAMES KOERBER, II**

This is a class action lawsuit brought on behalf of “all current and future persons detained at the Oakland County Jail during the Course of the COVID-19 Pandemic.” On May 27, 2021, this Court certified the Class and appointed Class Counsel. (ECF No. 184.) The matter is presently before the Court on a request for the appointment of counsel by Oakland County Jail pre-trial detainee Keith James Koerber, II. (ECF No. 186.) In his request, Mr. Koerber indicates that he wants the assistance of counsel to file unspecified objections to the class action settlement and raise other issues not cited in the lawsuit.

Unlike criminal cases, there is no constitutional or statutory right to the appointment of counsel in civil cases. “Appointment of counsel in a civil case is not a constitutional right. It is a privilege that is justified only by exceptional circumstances.” *Lavado v. Keohane*, 992 F.2d 601, 605-06 (6th Cir. 1993)

(quotation marks and citations omitted)). Mr. Koerber is a member of the Class and, therefore, is represented by Class Counsel. He does not set forth any reason why this representation is inadequate or why he needs separate counsel. As the Notice informed Class members, “[a]ll members of th[e] class have the right to object to the settlement[,]” and “any [Class member] who has timely filed an objection to the terms and conditions of the settlement” will have the opportunity to address the Court during the fairness hearing. (ECF No. 183-2 at Pg ID 4278, 4282, ¶¶ 7, 11.) The Notice also provides detailed instructions for submitting objections to the settlement. (*Id.* at Pg ID 4280-81, ¶ 10.) Accordingly, Mr. Koerber will have an opportunity to address the Court during the fairness hearing on objections *to the terms and conditions of the settlement*.

Finding no exceptional circumstances warranting the appointment of separate counsel to represent Mr. Koerber, the Court is **DENYING** his request for the appointment of counsel.

SO ORDERED.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: July 1, 2021

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, July 1, 2021, by electronic and/or U.S. First Class mail.

s/Aaron Flanigan
Case Manager